Disciplinary action against practice of polygamy

3270. SHRI V. GOPALASAMY :
SHRI VIDHUTHALAI VIRUMBI :

Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that Akhil Bharatiya Meena Sangh, Rajasthan submitted a list of Government officials alongwith a memorandum to the former Chief Minister of Rajasthan with a plea to initiate disciplinary proceeding against the concerned for having practised polygamy in violation of Hindu Marriage Act;

(b) if so, what are the details thereof ;

(c) whether it is also a fact that another list of 25 officials was submitted to Department of Personnel for appropriate action in February, 1992, if so, the details thereof;

(d) whether Department of Personnel have initiated any proceedings against these officials for violation of service rules and Hindu Marriage Act; and

(e) if not, whether Government would make a reference to National Commission for Women to probe into the whole issue, if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS WITH ADDITIONAL CHARGE OF THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRIMATI MARGARET ALVA) : (a) to (e) Information is being collected from the State Government and will be laid on the table of the Sabha.

All India Transfer Liability Conditions

3271. SHRI M. A. BABY : Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that only some recruitment rules made under the provision to Article 309 of the Constitution is attached with A.I.T.L. (All India Transfer Liability) condition and some are not as rules require to stipulate condition of service for the posts; if so, the reasons thereof;

(b) whether transfer conditions put in the appointment letter are not in consonance with statutory rules be enforciable in view of Supreme Court ruling on the subject is in negative;

(c) whether person holding a post with A.I.T.L. condition under statutory rules be transferable statutorily ;

(d) if so, persons holding a post without A.I.T.L. condition under statutory rules be non-transferable statutorily ;

(e) what is the remedy if mistake is done by Ministry/Department in transferring a person holding a non-transferable post?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS WITH ADDITIONAL CHARGE OF THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRIMATI MARGARET ALVA) : (a) and (b) Normally recruitment rules are not required to indicate service conditions such as transferability. As the details of the Supreme Court ruling have not been provided it is not possible to comment thereon.

(c) and (d) Transfer liability depends mainly on the nature of the cadre. Persons holding posts which form part of All India Cadres such as Group 'A' and 'B' Services/Posts are liable to be transferred to any place in India. On the other hand, persons holding posts which form part of local/regional cadres are not normally liable to be transferred outside the area to which their cadre extends. Notwithstanding the above, however, the Government is empowered to transfer a Government servant from one post to another

(e) It is open to a Government servant to appeal or represent against a transfer order, to the competent authority.

Annual Confidential Reports

3272. SHRI SATYA PRAKASH MALVIYA :
SHRIMATI SARALA MAHESHWARI :

Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that in the Annual Confidential Reports for staff and officers of Government of India, the final gradation of performance are categorised as outstanding, very good, good, average and poor;

(b) whether it is a fact that the only category of 'poor' is treated as adverse remark and the same is to be compulsorily communicated to the concerned official within a stipulated period;

(c) whether it is a fact that the category of 'Average' and 'Good' are not treated as adverse remarks and as such these are not to be communicated to the concerned official;

(d) whether it is also a fact that for the promotion of officers to Junior Administrative Grade (JAG) and above grades, the bench mark is 'Very Good' entry in the A.C.R.;

(e) whether Government are aware that the entries 'Good' and 'Average' in the ACR cause more damage to the officers/officials concerned than the entry categorised as 'Poor'; and

(f) if so, whether Government are considering to take steps, to remove this anamoly by treating the grading 'Average' and 'Good' also as adverse remarks?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS WITH ADDITIONAL CHARGE OF THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRIMATI MARGARET ALVA) : (a) Yes, Sir, except that the recognised grading is 'Below Average' and not 'Poor'.

(b) and (c) The instructions provide for communication of adverse remarks in the ACR of a Government servant within one month of completion of the Report. The grading 'Below Average' supported by adverse remarks would be treated as adverse for this purpose.

(d) Yes Sir.

(e) and (f) According to the instructions on the subject, the Departmental Promotion Committee is expected to decide its own method and procedures for an objective assessment of the suitability of officers for promotion. The Committee is required to make assessment in such cases without being guided merely by the overall grading given in the ACRs.

3273. [*Transferred to 24th August, 1993*]

अनुकम्पा के आधार पर नियुक्ति

3274. **श्री विलोप सिंह जूदेव** : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1991-92 और 1992-93 के दौरान केन्द्र सरकार और भिन्न-भिन्न राज्य सरकारों के कर्मचारियों का केन्द्र और राज्य-वार ब्यौरा क्या है जिसकी सेवा-काल में मृत्यु हो गई और जो सेवा-अवधि पूर्ण करके सेवा निवृत्त हुए ;

(ख) उपर्युक्त दोनों श्रेणियों के ऐसे कर्मचारियों की श्रेणी-वार संख्या कितनी है जो सेवा-काल में मृत हुए और सेवानिवृत्त हुए और जिनके बच्चों को अनुकंपा के आधार पर नौकरी मिली और जिनके पेंशन और अन्य देयों के मामलों का अन्तिम रूप से निपटान कर दिया गया ; और

(ग) अनुकंपा के आधार पर नियुक्ति वाली श्रेणियों से संबंधित व्यक्तियों के लम्बित मामलों और 1 जुलाई, 1993 को देयों के भुगतान का राज्य-वार ब्यौरा क्या है और उक्त तिथि तक केन्द्रीय सरकार के पास लम्बित पड़े कर्मचारियों की उक्त श्रेणी से संबंधित मामलों का ब्यौरा क्या है ?

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय में राज्य मंत्री और संसदीय कार्य मंत्रालय में राज्य मंत्री का अतिरिक्त प्रभार (श्रीमती मार्गरेट आल्वा) : (क) से (ग) राज्य सरकार के कर्मचारियों के संबंध में यह मामला संबंधित राज्य सरकारों के क्षेत्राधिकार के अन्तर्गत आता है अतः इस संबंध में कोई सूचना उपलब्ध नहीं है । जहां तक केन्द्र सरकार का संबंध है, अनुकम्पा के आधार पर नियुक्तियां करने तथा साथ ही पेंशन तथा अन्य देय राशियां तय करने की शक्तियां विकेन्द्रीकृत करके संबंधित प्रशासनिक मंत्रालयों/विभागों/कार्यालयों को दे दी गई है । अतः इस संबंध में सूचना केन्द्रीकृत रूप से नहीं रखी जाती ।

3275. [*Transferred to 24th August, 1993*]

केन्द्रीय जांच ब्यूरो का कार्यकरण

3276. **चौधरी हरमोहन सिंह** : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि केन्द्रीय जांच ब्यूरो को रिश्वत और भ्रष्टाचार के मामलों के अतिरिक्त राष्ट्रीय और अन्तर्राष्ट्रीय महत्व के अनेक मामले सौंपे गए हैं ;

(ख) यदि हां, तो केन्द्रीय जांच ब्यूरो के गठन के समय उसके मूल कार्य कौन-कौन से थे; और

(ग) क्या सरकार केन्द्रीय जांच ब्यूरो के काम-काज को उसके मूल कार्यों, अर्थात् रिश्वत और भ्रष्टाचार के मामलों का पता लगाने तक सीमित रखने पर विचार करेगी जिससे वह अपने कार्य बेहतर ढंग से कर सके ?

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय में राज्य मंत्री और संसदीय कार्य मंत्रालय में राज्य मंत्री का अतिरिक्त प्रभार (श्रीमती मार्गरेट आल्वा) :

(क) जी, हां ।

(ख) केन्द्रीय जांच ब्यूरो, जिसका गठन भारत सरकार के एक संकल्प के तहत किया गया था, उसे लोक सेवकों के भ्रष्टाचार और अन्य किस्म के कदाचारों से संबंधित कतिपय विशिष्ट अपराधों की पूछताछ तथा जांच के बारे में अपने पुलिस अधिकार दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946